IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 573 OF 2006

IN

SUMMARY SUIT NO. 2204 OF 2005

HIROO GHANSHYAM MATAI ..PLAINTIFF

V/S

BAHUSAHEB B. NARDEKAR ..DEFENDANTS

A.R. PATIL FOR PLAINTIFF.

N.V. BANDIVADEKAR FOR DEFENDANT.

CORAM : D.K. DESHMUKHM, J.

DATE : 14TH FEBRUARY, 2007.

P.C.

1. It is admitted position that the suit is neither based on a written contract nor on a Negotiable Instrument. Therefore, in view of the provisions of Order XXXVII it is not maintainable as a Summary Suit. The defendant is therefore granted unconditional leave to defend. The Summons for Judgment is disposed of. The written statement to be filed within 12 weeks.

(D.K. DESHMUKH, J.)